

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DARLA ALBRIGHT,)
Plaintiff,)
)
vs.) Civil Action No. 11-1079
) Chief Judge Gary L. Lancaster/
MICHAEL J. ASTRUE, Commissioner of) Magistrate Judge Maureen P. Kelly
Social Security,)
Defendant.)

ORDER


AND NOW, this 18th day of September, 2012, after the Plaintiff, Darla Albright, filed an action in the above-captioned case seeking review of the final determination of the Commissioner of Social Security denying her application for Disability Insurance Benefits, and after Motions for Summary Judgment were filed by the parties, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until September 17, 2012, to file written objections thereto, and upon consideration of the objections filed by Plaintiff, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment is granted, to the extent she seeks remand for reconsideration of the ALJ's determination, and denied, to the extent she seeks reversal and an immediate award of benefits; and that Defendant's Motion for Summary Judgment is denied.

IT IS FURTHER ORDERED that the decision of the ALJ is vacated and the case is remanded for further consideration consistent with this opinion.

IT IS FINALLY ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

BY THE COURT:



GARY L. LANCASTER
Chief United States District Judge

cc: Honorable Maureen P. Kelly
United States Magistrate Judge

All Counsel of Record by electronic filing